

**Acquisition and Property Division
Policy Memorandum**

Subject: Head of the Contracting Activity Responsibility Delegations			Number: 1 – 02A
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Background

The Federal Acquisition Regulation (FAR) 2.101 defines Head of the Contracting Activity (HCA) as including the official who has overall responsibility for managing the contracting activity. The Agriculture Acquisition Regulation (AGAR) further defines this official as the one who has overall responsibility for managing the contracting activity (i.e., Chief, Forest Service; Administrator, Agricultural Research Service; etc.), or the individual designated by such an official to carry out the functions of the HCA. AGAR 401.601(d) states "...each HCA may designate one individual from the contracting activity to carry out the functions of the HCA as the Head of the Contracting Activity Designee (HCAD)."

In Research, Education, and Economics, the HCA functions have been delegated to the Director of the Acquisition and Property Division (APD), Administrative and Financial Management, who performs these functions as the HCAD.

Policy Guidance

In accordance with AGAR 401.301 "Each designated HCA is authorized to issue or authorize the issuance of, at any organization level, internal guidance which does not have significant effect beyond the internal operating procedures of the activity, or a significant cost or administrative impact on offerors or contractors." The HCA is responsible for the establishment and implementation of formal procedures for oversight and control of unpublished

internal guidance issued within the contracting activity to implement FAR or AGAR requirements.

The purpose of this document is to provide as complete as possible a listing of the HCA=s responsibilities to assist contracting personnel in their duties. It should be noted that every effort has been made to provide a complete and accurate document; however, references (FAR, AGAR) should be checked for applicability to the acquisition.

**Action Required by
REE Contracting
Officers**

Ensure compliance with all statutes and Federal, departmental and REE regulations in the development, negotiation, award, administration of contracts, and management of personal property.

The enclosed chart provides a listing of the FAR and AGAR references and APD applicable issuances pertaining to the HCAD responsibilities, and redelegation of authority.

**APD Point of
Contact**

Policy Branch, APD, 301-504-1725.

Approved

_____/s/_____
Larry R. Cullumber, Director
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Enclosure

**HEAD OF THE CONTRACTING ACTIVITY DESIGNEE (HCAD)
AREAS OF RESPONSIBILITY**

The HCADY

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
PART 1 - FEDERAL ACQUISITION REGULATIONS SYSTEMS	
1.301 Policy	...may issue or authorize the issuance of agency acquisition regulations that implement or supplement the FAR. AGAR 401.301 delegated HCAD's authority to issue or authorize the issuance of internal guidance.
1.404 Class deviations	...shall authorize class deviations unless 1.405(e) is applicable.
1.602-3 Ratification of unauthorized commitments	...shall ratify an unauthorized commitment. P&P 212.16, "Approval of Ratification Actions within REE" delegated authority below \$100,000 to Chief of the Contracting Office (CO) level and Procurement Assistance Officers (PAOs).
1.603-1 General	...may select, appoint, and terminate CO's appointments. AGAR 401.603-1 may delegate contracting authority to the extent authorized by the Senior Procurement Executive (SPE) in a general acquisition authority through appointing CO's.
PART 3 - IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST	
3.103-2 Evaluating the certification	...shall review and determine in writing the altered Certificate of Independent Price Determination and the statement of disclosure of prices was made for the purpose or had the effect of restricting competition.
3.104-6 Disqualification	...may authorize the immediate reinstatement or may authorize reinstatement following whatever additional period of disqualification the HCA determines is necessary to ensure the integrity of the procurement process.
3.104-10 Violations or possible violations	...shall review all information available and take appropriate action of an actual or possible violation of the Office of Federal Procurement Policy (OFPP) Act, subsections 27(a),(b), (c) or (d) that may have any impact on the source. Pending award or selection of the source.
3.405 Misrepresentations or violations of the Covenant Against Contingent Fees	...shall review and take action on whatever specific evidence or reasonable basis there is to suspect one or more violations pertaining to the Covenant Against Contingent Fees.

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
3.602 Exceptions	...may authorize an exception to the policy in order to award a contract to a Government employee or to a business concern or other organization owned or substantially owned or controlled by one or more Government employees. Not delegable below the HCAD. AGAR 403.602 Approval of a Determination and Findings (D&F) which exempts contracts with Government employees or organizations owned or controlled by them.
3.703 Authority	...shall consider rescission of a contract if it has been determined that a contractor or someone acting for the contractor has engaged in conduct constituting a violation of subsection 27 (a) or (b) of OFPP Act.
3.705 Procedures	...shall notify the Civil Division, Department of Justice that an action is being considered for any violation of 18 U.S.C. 201-204 involving or relating to agency contracts.
3.705 Procedures	...shall issue a written decision declaring a voided or rescinded contract.
PART 4 - ADMINISTRATIVE MATTERS	
4.801 General	...shall establish files containing records of all contractual actions; i.e., pre and post award actions, contract administration, or paying functions.
PART 5 - PUBLICIZING CONTRACT ACTIONS	
5.202 Exceptions	...shall determine in writing after consultation with the Administrator for Federal Procurement Policy and the Administrator of the Small Business Administration (SBA) that advance notice is not appropriate for certain proposed contract actions. AGAR 405.502 Authority delegated to the HCA.
5.404-1 Release procedures	...may release long-range acquisition estimates. AGAR 405.404-1 Shall establish written procedures to control the release of long-range acquisition estimates.
PART 6 COMPETITION REQUIREMENTS	
6.202 Establishing or maintaining alternative sources	...shall determine that exclusion of a particular source from a contract action would establish or maintain an alternative source or sources for supplies or services - requires a D&F.
6.302-1 Only one responsible source and no other supplies or services will satisfy agency requirements	...shall determine in accordance with the agency's standardization program that only a specific make or model of technical equipment and parts will satisfy the need for additional units or replacement items, and only one source is available.

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
6.302-7 Public Interest	...shall determine in writing that full and open competition is not in the public interest for a particular acquisition.
6.304 Approval of the justification	...shall approve the justification for other than full and open competition for a proposed contract over \$10M but not exceeding \$50M. Policy Memorandum No. 6-03 “Preparation and Approval of Justification for Other Than Full and Open Competition/Sole Source Justification” Approval Levels Stated.
6.501 Requirement (Competition Advocate)	...shall designate a competition advocate for the agency and each procuring activity of the agency. AGAR 406.501 Delegated to HCA.
PART 7 – ACQUISITION PLANNING	
7.103 Agency-head responsibilities	...shall define the procedures for acquisition planning; such as, promoting and providing for full and open competition, encouraging offerors to supply commercial items, etc. AGAR 407.103 Delegated to HCA.
PART 8 - REQUIRED SOURCES OF SUPPLIES AND SERVICES	
8.802 Policy	...shall designate a central printing authority.
8.1102 Presolicitation requirements	...shall issue approval prior to the issuance of a solicitation which limits the procurement to the current models based on the overall economy of motor vehicles.
PART 9 - CONTRACTOR QUALIFICATIONS	
9.503 Waiver	Agency head may waive any general rule or procedure of organizational or consultant conflicts of interest not in the best interest of the Government. AGAR 409.503 Delegated to HCA but no lower.
9.506 Procedures	...shall approve prior to issuance of the solicitation a significant potential organizational conflict of interest.
PART 14 - SEALED BIDDING	
14.201-7 Contract Clauses	...may waive the requirement for inclusion of the FAR clauses 52.214-27 Price Reduction for Defective Cost or Pricing Data and 52.214-28 Subcontractor Cost or Pricing Data in a contract with a foreign government or agency of that government.

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
14.404-1 Cancellation of invitations after opening	...shall determine in writing before award but after opening the cancellation of invitations and/or the rejection of all bids. Policy Memorandum No. 14-01 “Cancellation of Invitations for Bids and Conversion from Sealed Bidding to Negotiation Procedures” HCAD approval required Policy Memorandum No. 14-01A “Change in Levels Authorized to Make Determinations to Cancel IFB=s and Convert Sealed Bid to Negotiated Procedures” defines approval authority.
14.407-3 Other mistakes disclosed before award	...shall determine whether to correct the bid and not permit its withdrawal or to determine whether the bid be neither withdrawn nor corrected. AGAR 414.407-3 delegated FAR 14.407-3(a), (b) and (d) to the HCA (not redelegable) FAR 14.407-3(c) delegated to the CO.
PART 15 - CONTRACTING BY NEGOTIATION	
15.303 Responsibilities	...is responsible for source selection. AGAR 415.305 delegated HCA the authority to make source selection authority someone other than CO.
15.403-1 Prohibition on obtaining cost or pricing data	...shall waive the requirement for submission of cost or pricing data in exceptional cases.
PART 16 - TYPES OF CONTRACTS	
16.206-3 Limitations	...shall provide written approval of the use of fixed-ceiling-price contracts when retroactive price redetermination is required.
16.207-3 Limitations	...shall approve the use of a firm-fixed-price, level-of-effort term contract, when the contract price is \$100,000 or less.
16.503 Requirements contracts	...shall provide a written determination that the services required are so unique or highly specialized that it is not practicable to make multiple awards using the procedures of FAR 16.504 (Indefinite-quantity contracts). ...shall provide a written determination before issuance of a requirements contract for advisory and assistance services in excess of 3 years and \$10M.
16.504 Indefinite quantity contracts	...shall provide a written determination after evaluation of offers that only one offeror is capable of providing the services required at the level of quality required ...shall not provide a determination if only one offer is received, if the advisory and assistance services are not a significant part of the contract.

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
16.505 Ordering	...shall designate a task and/or delivery order contract ombudsman with responsibility for reviewing contractor complaints.
16.603-2 Application	...shall approve a reasonable price or fee for a letter contract after exhausting all reasonable efforts to negotiate a definitive contract in accordance with FAR 15.4 and Part 31. AGAR 416.603-2 authorized the HCA to extend the period for defining a letter contract, written determination required.
16.603-3 Limitation	...shall provide a written determination that a letter contract and no other contract is suitable.
CHAPTER 17 - SPECIAL CONTRACTING METHODS	
17.105-1 Uses	...shall approve prior to award of a multi year contract.
PART 19 - SMALL BUSINESS PROGRAMS	
19.502-3 Partial set-asides	...approve a partial set-aside, when only 2 concerns (1 large, 1 small) with capability are expected to submit an offer.
19.505 Rejecting SBA recommendations	...shall render a written decision appealing the CO's rejection.
19.505 Rejecting SBA recommendations	...shall forward justification to the agency head of the appeal decision.
19.602-1 Referral	...shall determine that an apparent unsuccessful small business offeror lacks certain elements of responsibility and is determined to be unqualified and ineligible.
19.1305 HUBZone set-aside procedures	...shall determine, upon receipt of SBA's intent to appeal, in writing that urgent and compelling circumstances which significantly affect the Government's interests exist, otherwise the CO shall suspend action on the acquisition.
PART 22 - APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS	
22.101-1 General	...may designate programs or requirements for which it is necessary that contractors be required to notify the Government of actual or potential labor disputes that are delaying or threaten to delay the timely contract performance.

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
22.302 Liquidated damages and overtime pay	...shall adjust or release the contractor or subcontractor from the liability for, liquidated damages of \$500 or less. AGAR 422.302 shall review determinations of liquidated damages due under section 104(c) of the Contract Work Hours Safety Standards Act and if appropriate take remedial action in accordance with FAR 22.302(c).
22.805 Procedures	...shall inform the OFCCP regional office and approve award without the pre-award clearance.
PART 23 - ENVIRONMENT, CONSERVATION, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE	
23.906 Requirements	...approval is required that FAR clause 52.223-13, "Certification of Toxic Chemical Release Reporting" is not practical in a solicitation or class of solicitations.
23.906 Requirements	...shall consider Environmental Protection Agency recommendation and determine if termination or some other action is appropriate, if a contractor is not filing the necessary forms or is filing incomplete information.
PART 25 - FOREIGN ACQUISITION	
25.102 Policy	...shall determine the nonavailability of articles, materials, and supplies that are not mined, produced, or manufactured in the United States in sufficient commercial quantities. See FAR 25.102 for approval authority level.
25.202 Policy	...shall determine that construction material is not mined, produced, or manufactured in the United States in sufficient commercial quantities in accordance with the Buy American Act.
25.304 Excess and near-excess foreign currencies	...shall determine the feasibility of using excess or near-excess foreign currency. AGAR 425.304 delegates to the HCA.
25.901 Omission of audit clause	...shall determine with concurrence of the Comptroller General that a waiver of the right to examine the records will serve the public interest.
PART 27 - PATENTS, DATA, AND COPYRIGHTS	
27.404 Basic Rights in Data Clause	...shall concur with the CO that the contractor=s markings are unauthorized on data.
PART 28 - BONDS AND INSURANCE	
28.101-1 Policy on use	...shall waive the requirement to obtain a bid guarantee when a performance bond or a performance and payment bond is required.

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
28.105 Other types of bonds	...shall approve using other types of bonds (advance payment bonds and patent infringement bonds) in connection with acquiring particular supplies or services.
28.106-2 Substitution of surety bonds	...shall approve a new surety bond covering all or part of the obligations on a bond previously approved may be substituted for the original
28.106-6 Furnishing information	...shall provide a certified copy of the bond and contract when requested by affidavit AGAR 428.106-6 delegated to the HCA
PART 32 – CONTRACT FINANCING	
32.114 Unusual contract financing	...shall authorize unusual contract financing, requires a determination and findings. AGAR 432.114 delegated to the HCA.
32.201 Statutory authority	...shall determine that payments for commercial items are made under such terms and condition as are appropriate or customary in the commercial marketplace.
32.202-1 Policy	...shall approve unusual contract financing for commercial items.
PART 33 - PROTESTS, DISPUTES, AND APPEALS	
33.102 General	...shall determine that a solicitation, proposed award, or award pertaining to a protest does not comply with requirements of law or regulation. AGAR 433.102 delegated to the HCA on a non-delegable basis.
33.102 General	...shall review CO=s final decision prior to issuance.
33.104 Protests to GAO	...shall authorize in writing contract performance not withstanding the protest B nondelegable.
33.104 Protests to GAO	...shall issue notice to GAO why GAO recommendations have not been implemented.
PART 36 - CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS	
36.201 Evaluation of contractor performance	...shall establish procedures ensuring that fully qualified personnel prepare and review performance reports.
36.208 Concurrent performance of firm-fixed-price and other types of construction contracts	...shall provide prior approval of certain cost type and fixed price contracts at the same worksite when potential labor and administrative problems exist.
36.209 Construction contracts with architect-engineer firms	...shall approve the construction of a project to a firm its subsidiaries or affiliates who designed the project. AGAR 436.209 delegated authority to the HCA.

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
36.213-2 Presolicitation notices	...shall waive the issuance of presolicitation notices to prospective bidders on any construction requirement equal to or exceeding \$100,000. AGAR 436.213-2 delegated authority to the HCA, but no lower.
36.301 Use of two-phase design-build selection procedures	...shall establish other criteria for the use of two-phase design-build procedures.
36.602-3 Evaluation board functions	...shall provide general direction to the evaluation board
36.604 Performance evaluation	...shall establish procedures ensuring that fully qualified personnel prepare and review performance reports.
36.609-1 Design within funding limitations	...shall provide written determination of a waiver to FAR clause 52.236-22, ADesign Within Funding Limitations@.
PART 37 - SERVICE CONTRACTING	
37.113-1 Waiver of cost allowability limitations	...shall provide a waiver of cost allowability limitations on severance payments to foreign nationals for contracts.
PART 41 - ACQUISITION OF UTILITY SERVICES	
41.202 Procedures	...shall provide written approval that a contract cannot be obtained and that the issuance of a purchase order is not feasible, the necessary utility service will be paid for upon the presentation of an invoice.
41.204 GSA area wide contracts	...shall determine that the use of the areawide contract for utility services is not advantageous to the Government.
PART 42 - CONTRACT ADMINISTRATION AND AUDIT SERVICES	
42.202 Assignment of contract administration	...shall approve the delegation to issue orders under provisioning procedures in existing contracts and basic ordering agreements.
PART 44 - SUBCONTRACTING POLICIES AND PROCEDURES	
44.302 Requirements	...may raise or lower the \$25M review level for a Contractor Purchasing System Review (CPSR).
PART 45 - GOVERNMENT PROPERTY	
45.309 Providing Government production and research property under special restrictions	...shall determine that Government property and research property necessary for installing special tooling and test equipment, or plant equipment shall be installed or constructed on land not owned by the Government or in such a fashion as to be nonseverable.
PART 48 - VALUE ENGINEERING	
48.104-2 Sharing collateral savings	...shall determine that collateral savings with a contractor are not in the best interest of the Government.
48.201 Clauses for supply or service contracts	...shall authorize inclusion of a value engineering clause in solicitations and contracts in accordance with this section.

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
PART 401 - AGRICULTURE ACQUISITION REGULATION SYSTEM	
401.403 Individual Deviations	...shall approve individual deviations from the AGAR after coordinating with the General Counsel and the SPE, with the exception of cost principles.
401.601 General	...shall exercise all authority delegated to the HCA. P&P No. 210.1 ‘Procurement and Property Management Reviews’ (PPMRs)-ARS responsibility to ensure compliance while conducting procurement activities through a PPMR.
PART 403 - IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST	
403.204 Treatment of violations	...shall review the violation report and consult with Offices of General Counsel (OGC), if further action is required see this section.
403.409 Misrepresentations or violations of the Covenant against Contingent Fees	...shall determine if violation has occurred and report violation to the Office of Inspector General.
PART 405 - PUBLICIZING CONTRACT ACTIONS	
405.403 Requests from Members of Congress	...is the agency designee for Congressional inquiries.
PART 407 - ACQUISITION PLANNING	
407.170 Advance acquisition plans	...shall implement an advance acquisition planning system.
407.503 Policy	...shall establish procedures ensuring that requesting activities provide written determination that none of the functions to be performed are inherently governmental.
PART 408 - REQUIRED SOURCES OF SUPPLIES AND SERVICES	
408.705 Procedures	...shall appoint one person as Javits- Wagner O=Day Act (JWOD) Advocate to represent the organization and to coordinate the organization=s actions.
408.705-2 Direct order process	...may apply to a central nonprofit agency for authorization to order specific supplies or services directly from JWOD.
PART 409 - CONTRACTOR QUALIFICATIONS	
409.405-1 Continuation of current contracts	...authorize written determination to continue contract or subcontract in existence at the time of debarment, suspension, or proposed debarment.
PART 411 - DESCRIBING AGENCY NEEDS	
411.103 Market acceptance	...may determine that offerors must demonstrate the market acceptability of their proposed items.

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
PART 412 - ACQUISITION OF COMMERCIAL ITEMS	
412.302 Tailoring of provisions and clauses for the acquisition of commercial items	...shall approve waivers pertaining to tailoring of clauses or additional terms or conditions of solicitations or contracts that are inconsistent with customary commercial practices.
PART 415 - CONTRACTING BY NEGOTIATION	
415.305 Proposal evaluation	...shall establish procedures with regard to the release of cost information to technical evaluation team members.
415.404-4 Profit	...shall establish procedures to ensure that a structured approach to determining the profit or fee is used.
415.604 Agency points of contact	...shall establish procedures for the handling of unsolicited proposal. P&P No. 212.17 “Unsolicited Proposals” responsible for the procedures and the establishment of contact points P&P No. 212.17 designates the REE point of contact for receipt and handling as Chief, Policy Branch, APD.
415.606 Agency procedures	...shall establish procedures for the control of unsolicited proposals, including the receipt, evaluation, timely disposition, and handling of proposals.
PART 416 - TYPES OF CONTRACTS	
416.000 Scope of part	...shall establish written procedures allowing the use of any contract type in FAR Part 16 for acquisitions made under simplified acquisition procedures.
416.405-2 Cost-plus-award-fee contracts	...may designate someone other than the CO as the Fee Determination Official.
416.702 Basic Agreements	...shall furnish copy of each negotiated basic agreement to the SPE.
PART 417 - SPECIAL CONTRACTING METHODS	
417.204 Contracts	...shall authorize the approval of contracts in excess of the 5 year limitation.
PART 419 - SMALL BUSINESS PROGRAMS	
419.201-71 Small Business Coordinators	...shall designate in writing a small business coordinator in each contracting office. P&P No. 210.8 “Procurement Preference Program” responsibility for the policy, procedures, and guidelines of the REE Procurement Preference Program (PPP).
419.602-3 Resolving differences between the agency and the Small Business Administration	...shall appeal the issuance of a Certificate of Competency to SBA headquarters
PART 422 - APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS	

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
422.404-6 Modifications of wage determinations	...shall authorize the request for an extension to the 90 day period for award after bid opening from the Administrator, Wage and Hour Division.
422.804-2 Construction	...shall ensure that each contracting office awarding nonexempt construction contracts maintains a current listing of covered geographical areas subject to affirmative action requirements.
PART 423 - ENVIRONMENT, CONSERVATION, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE	
423.103 Policy	...shall establish a system of instructions to make available to each CO the EPA List of Violating Facilities.
423.107 Responsibilities	...shall notify the Administrator of EPA of known or suspected noncompliance with clean air and water standards in facilities.
423.601 Requirements	...shall establish a system of instructions to identify the installation/facility radiation protection officer.
PART 425 - FOREIGN ACQUISITION	
425.302 Policy	...shall determine that the delivery of perishable subsistence items from the United States would significantly impair their quality at the point of consumption.
425.302 Policy	...shall determine that a requirement can only be filled by a foreign end product or service and that it is not feasible to forgo filling it or to provide a domestic substitute.
PART 428 - BONDS AND INSURANCE	
428.204 Alternatives in lieu of corporate or individual sureties	...shall establish procedures to ensure protection and conveyance of deposited securities; such as, United States bonds or notes, certified or cashier=s checks, bank drafts, money orders, currency, and/or irrevocable letter of credit.
PART 432 - CONTRACT FINANCING	
432.003 Simplified acquisition procedures financing	...may approve contract financing on a contract to be entered under the simplified acquisition procedures.
432.102 Description of contract financing methods	...may authorize progress payments based on a percentage or stage of completion on a case-by-case basis.
432.402 General	...shall approve the determination and findings for approval of the contract terms concerning advance payments.
432.406 Letters of credit	...shall coordinate with the Department of Treasury concerning letters of credit.

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
432.407 Interest	...shall authorize, on a case by case basis, advance payments without interest for the contract types; such as, research & development with nonprofit education or research institute, management & operation of Government-owned plants, cost-reimbursement contracts with governments, and/or other classes of contracts (unusual cases).
432.803 Policies	...may make a determination of need to include a no-setoff commitment in a contract.
432.906 Contract financing payments	...may prescribe, on a case-by-case basis, a shorter period for financing payments.
PART 434 - MAJOR SYSTEM ACQUISITION	
434.003 Responsibilities	...is responsible for (1) ensuring compliance with OMB Circular No. A-109” “Major System Acquisitions”, FAR Part 34, AGAR 434; (2) ensuring that potential major system acquisitions are brought to the attention of the USDA Acquisition Executive (Assistant Secretary for Administration (ASA); (3) recommend qualified candidates for designation as program manager; (4) ensure that program managers fulfill their responsibilities; and (5) cooperate with the ASA in implementing A-109.
PART 436 - CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS	
436.602-2 Evaluation boards	...shall establish written procedures for providing permanent or ad hoc architect-engineer evaluation boards.
436.602-4 Selection authority	...shall serve as selection authority, HCA may authorize an acquisition official above the level of CO as selection authority.
436.603 Collecting data	...shall establish procedures for architect-engineer services in accordance with FAR 36.603.
PART 441 - ACQUISITION OF UTILITY SERVICES	
441.201 Policy	...is the Federal agency head designee.
PART 442 - CONTRACT ADMINISTRATION	
442.1502 Policy	...shall establish past performance evaluation procedures and systems.
PART 445 - GOVERNMENT PROPERTY	
445.302-1 Policy	...shall authorize to issue a D&F for providing facilities to a contractor when it is in the public interest to provide the facilities.
445.403 Rental--Use and Charges clause	...shall determine for charging rent on the basis of use of Government production and research property under FAR Clause 52.245-9.

HCAD RESPONSIBILITIES - FAR REFERENCE	DESCRIPTION
PART 449 - TERMINATION OF CONTRACTS	
449.106 Fraud or other criminal conduct	...may initiate suspension or debarment actions in accordance with FAR Subpart 9.4, Debarment, Suspension, and Ineligibility.
449.501 General	...shall approve in advance use of special purpose termination clauses.
<u>APD-S Policy Memorandums</u>	
HCAD RESPONSIBILITIES POLICY MEMORANDUMS	DESCRIPTION
No. 1-01 One-Time Contracting Officer Delegations	...shall approve under emergency situations (floods, hurricanes, tornados), and unanticipated projects assigned to an Area or Headquarters office.